



## THE DAY IN THE SENATE

Interest Awakened When the House Was Heard From.

### RUNNING DEBATE FOR HOURS

The Upper House in a Ferment During Both the Day and Evening Sessions—Proceedings in Detail of an Extraordinary Sitting—Mr. Rawlins on Executive Prerogatives.

Despite the fact that the center of interest clearly was in the other end of the Capitol, when the Senate was called to order at noon yesterday there were not many vacant seats in the galleries. Ladies predominated, as was the case during the series of warm war debates of last week, and they seemed to take great interest in the routine proceedings and in the presentation of minor bills which marked the opening hours of the session. They evidently having in mind the fact that many of the men who yesterday were speaking calmly of comparatively small matters were the ones who, but a few hours since, had thundered forth their defiance to another nation and declared for war.

While to the casual observer the Senate preserved its customary august mien, to the experienced eye it was evident that there was an undercurrent of anxiety as to the action of the lower House on the war and recognition resolutions of Saturday. There were several conferences between the leaders on the two sides in the Senate, both in the cloak-room and in the chamber.

Mr. Rawlins of Utah arose to address the Senate at 2:50 upon the distinctive right of the President to recognize the national independence of Cuba. "It has been contended," he said, "that the power to recognize the international independence of Cuba rests with the President. That power ought not to be exercised. I desire to discuss the question on the provisions of the Constitution. The power to recognize national independence is not conferred, in express terms, on the President or any department of the Government. Heretofore it has existed as an incidental authorization." He then cited numerous decisions by the United States Supreme Court bearing upon the question and upon which he made no comment.

**Not an Executive Function.**  
Mr. Rawlins held that the recognition of national independence by the President would be subject to review by the Senate. The right has been but incidental to his power to receive foreign ambassadors, which right is not conferred upon him, by the way, in any part of the Constitution. Mr. Rawlins declared that the power to declare war is vested exclusively in the Congress and that the President has no right to receive any foreign representatives until a declaration of war shall have been made. A declaration of war usually destroys all existing treaties between the countries at war, and it also breaks off diplomatic relations.

If the President should recognize national independence, the Congress distinctly has the right to wipe out all the treaties of other recognition which may have been made. Congress also may snatch away from the Executive the right to receive foreign ambassadors, he declared.

While Mr. Rawlins was speaking Gen. Grosvenor came over from the House and went directly to Mr. Hanna's seat. He talked with the Senator from Ohio for several moments and then repaired to the lower chamber.

Mr. Hanna, the Senator from Spain, left the floor shortly after Mr. Rawlins began to talk, and made his way to the diplomatic gallery, where he engaged in conversation with two ladies who occupied front seats, and who arose as he addressed them.

Mr. Rawlins said that the President, in all his diplomatic relations with Spain, had never recommended that the dominant aim of the negotiations was the freedom of Cuba. "It is not a question

of lack of confidence in the Executive, but one of doubt as to the convictions which impel him to act as he may act," he said in conclusion.

At 2:50 o'clock the Senate was informed that the House had failed to concur in the amendments to the resolution authorizing the President to intervene with the Army and Navy in Cuba.

Mr. Davis moved that the Senate concur in the amendments of the House, and on that motion he addressed the Senate briefly. He said:

"In my great anxiety to secure the speediest possible action upon this great question, I have refrained from taking any part in the debate in which it has been considered. I now desire to say a few words.

"The resolution as it has come from the House and is now before us, adopts precisely, with the exception which I shall note, the majority resolution that was reported from the Senate Committee on Foreign Affairs, with the addition of the amendment prepared and offered by the Senator from Colorado (Mr. Teller). The exceptions are striking out the words 'are' and 'and' in this resolution as reported from the Senate committee, and striking out what is known as the Teller amendment, recognizing the independence of the Republic of Cuba.

"This whole question has been subject to much debate and controversy. In the meantime, the indignity inflicted on this nation by the destruction of the Maine has remained unchastised, and many lives have passed away in Cuba while we have been debating this question.

"Now, appealing to that desire which we all have, that the action of this Government be no longer delayed, and believing that the question of the recognition of the independence of Cuba is one that can be settled at any time in the future, I move that the Senate concur in the amendments of the House of Representatives."

Mr. Stewart here took the floor, and from all appearances was prepared to go into the question in much detail. He had not proceeded far, however, when Senators began to realize the fact, and Senator Teller touched him on the arm and asked him if he would yield for a vote, to which he replied he would most gladly.

Mr. Davis withdrew his motion to concur and moved that the Senate insist on its amendments.

It was decided after considerable discussion not to appoint a conference committee, but to let the House ask for one if it failed to accept the terms of the Senate.

Mr. Hale took part in this discussion and urged that such a committee be appointed by the chair. He characterized it as an exceedingly strange procedure for the Senate not to concur and also not to ask for a conference.

A vote was taken and it was decided to non-concur and not ask for a conference.

The resolution again wended its weary way back to the House to be handled in a summary manner by that body.

That body still maintained the position and voted to have a conference, appointing as managers Messrs. Adams, Heatwole, and Dismore.

At 5:15 the resolution again appeared in the Senate with the information above stated.

Mr. Davis immediately moved that the Senate grant the request for a conference, and that the chair appoint the Senate conferees.

This motion was opposed very vigorously by Mr. Allen, who maintained that the managers of the conference should be balloted for.

Considerable time was consumed in the discussion of this point, but the original motion finally prevailed and the chair appointed Messrs. Davis, Foraker and Morgan to confer with the House committee.

When this decision was reached it was 6:20 o'clock, and a recess was taken until 8 o'clock.

When the Senate reconvened at 8 o'clock Mr. Davis stated that the conferees had been unable to agree. There had been, he said, no difficulty in agreeing to the House provision striking out the recognition of the Cuban Republic, but on the matter of striking out the words "are, and," in the first paragraph stating that the Cubans "are, and of right ought to be, free," Mr. Davis said the differences were irreconcilable.

Mr. Morgan said there was no use to send the resolutions back to conference for the conferees could not get an agreement unless the House receded from its action.

Mr. Foraker stated to the Senate that he was greatly disappointed. Before the Senate agreed to the conference Mr. Foraker said that he had information that the two houses could agree if the Senate

## THE JOINT RESOLUTION OF CONGRESS.

For the recognition of the independence of the people of Cuba, demanding that the government of Spain relinquish its authority and government in the Island of Cuba, and withdraw its land and naval forces from Cuba and Cuban waters, and directing the President of the United States to use the land and naval forces of the United States to carry these resolutions into effect.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

First. That the people of the Island of Cuba are and of right ought to be free and independent.

Second. That it is the duty of the United States to demand, and the Government of the United States does hereby demand, that the government of Spain at once relinquish its authority and government in the Island of Cuba and withdraw its land and naval forces from Cuba and Cuban waters.

Third. That the President of the United States be, and he hereby is, directed and empowered to use the entire land and naval forces of the United States, and to call into the actual service of the United States the militia of the several States, to such extent as may be necessary to carry these resolutions into effect.

Fourth. That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction, or control over said island except for the pacification thereof, and asserts its determination when that is accomplished to leave the government and control of the island to its people.

yielded the recognition amendment. Believing this to be true Mr. Foraker had consented to serve on the conference committee. When the conferees got into conference Senator Foraker said that, not because he had changed his mind, but for the sake of harmony—he had agreed to abandon the recognition amendment, provided the House amendment to the first clause striking out the words "are, and" was yielded by the House. This the House refused to do. To the great disappointment of the committee they found that this was not satisfactory to those who represented the House.

If Congress was to intervene with force of arms then it was to fight somebody, and if no positive declaration be contained in the resolution that the people of Cuba are free, then the United States was to fight Spain and all her subjects, and the United States would be practically declaring war against the people of the Island of Cuba as well as Spain.

**Mr. Hoar's Plan.**

Mr. Hoar made a plea for concurrence in the request of the House, and declared that within ten days everything that was desired for the Cubans would be secured and in a constitutional way.

At this point Mr. Mills took a hand in the debate. He declared that the language declaring the Cubans free was one hundred years too late. He thought that it was a very small thing for the House to concede.

Mr. Daniel thought that there was nothing that the Senate could do but to insist on its stand on the resolution. That every vestige of independence for the Cubans should be wiped out.

Mr. Mason said: "This is the notice they serve on us: That they will give us neither intervention nor anything else, unless we concede to the technical details of the Administration."

Mr. Mason went on to state that he would vote with the majority in order to get action, but that he would fight for Cuban independence later.

**By a Narrow Majority.**

A vote was taken and the Senate by a vote of 40 to 29 decided not to recede from their demands not to strike out the words "are, and."

The Senate then took a recess until 10:45.

The resolution reached the House at 9:35 p. m.

After it had been read, a motion to recede and accept the Senate demand was made by Mr. Brownwell. A vote was taken on this motion, resulting as follows: Yes, 144; nay, 177, which was practically the same as all other votes cast by the House on the question.

Mr. Adams moved that the House insist and ask for another conference, which was carried.

Mr. Johnson moved that the House adjourn. This motion was voted down by

a ringing no. A recess was taken until 11 o'clock.

At 11:25 the resolution was again reported to the Senate, with the information that the House further insists on its amendment and asks a further conference.

Mr. Davis moved that the Senate accede to the request of the House.

Mr. Allen then demanded that the Senate make the selection of the conferees and not the chair.

This last question met with some opposition on the part of Mr. Gallinger.

Mr. Allen said he was not in favor of surrendering his vote without being captured, and he was not in a frame of mind to be captured.

Mr. Mason urged that Mr. Allen yield and reopen the fight tomorrow, and he would fight with him.

Mr. Allen declared that this whole scheme was nothing but an organized attempt on the part of certain capitalists to save their dollars. If the Senate enacted the same farce over again it was evident there was not an honest desire to secure Cuban independence.

By a vote of 49 to 23 the Vice President was authorized to appoint conferees, and he appointed Messrs. Davis, Morgan and Foraker.

The Senate, at 10:50, took a recess for thirty minutes.

Nothing else of interest broke the monotony until the conferees reported.

### CHESPO IS KILLED.

**The Ex-President of Venezuela Falls in Battle.**

London, April 18.—A cable from Caracas, Venezuela, says Gen. Joaquin Crespo, ex-president of Venezuela, was killed Saturday while fighting against the rebel forces of Gen. Hernandez.

Gen. Crespo, who is reported to have been killed in battle with rebels in Venezuela, distinguishing himself in the revolution of 1871 and 1873. He ended Blanco's revolution by the flight of Elasmuro and in 1884 Blanco handed the presidency of the republic over to Crespo.

He resigned in 1888 and in 1888 started a revolution against President Paul.

Crespo was made provisional president in 1892. He was president of Venezuela when the boundary question occurred in which President Cleveland took Venezuela's part on the ground of the Monroe doctrine.

### EXPELLED FROM CUBA.

**The Correspondent of the London Times Requested to Leave.**

London, April 18.—The Havana correspondent of the Times has been requested by the authorities to leave Cuba. He will leave tomorrow for Key West.

Commenting on the expulsion of this correspondent, the Times says that this is the latest instance of a mistaken rigorous censorship, and that it will only further alienate sympathy from Spain. The Spanish authorities have gone a step further in their endeavors to stifle the truth.

## ACTION AT LAST

The American Congress Practically Declares War.

### CUBA'S PEOPLE FREE AND INDEPENDENT

Bloodthirsty Spain Given Formal Notice to Quit the Continent.

The Congress of America shortly before 3 o'clock this morning adopted a joint resolution which will make Cuba free and drive Spain from the Western Hemisphere.

The resolution is the same as that adopted by the Senate last Saturday, with the clause recognizing the Cuban Republic eliminated, but with a sentence inserted which declares that the people of Cuba "are and of right ought to be free and independent."

Yesterday and last night marked a history-making epoch in the legislative branch of this Government.

The House met at 10 o'clock A. M., but immediately adjourned until 12, at which hour the Senate was to meet.

Immediately on reassembling the Senate joint resolution passed last Saturday was laid before the body and read.

Vigorous applause greeted it from the Democratic side.

It was evident, however, that the Republicans did not intend that the House should concur.

In accordance with a previous agreement with Speaker Reed Mr. Dingley, the titular Republican leader, after the resolution had been laid before the House, arose in his seat and said: "I move the House concur in the Senate resolution with the amendment I hereby offer."

The Dingley announcement was, of course, to strike out the recognition clause.

Mr. Bailey arose to make a parliamentary inquiry and wanted to know if a motion to concur without amendment would be in order. He was informed from the chair that such a motion would be in order, but must yield in precedence to the Dingley motion.

Representative Bromwell, of Ohio, Republican, then made a motion to concur without amendment.

A general discussion, principally out of order, followed. Mr. Dingley interrupted an epidemic of parliamentary inquiries by moving the previous question, which was ordered. A ye and nay vote was demanded.

Fourteen Republicans voted against Mr. Dingley's motion because they favored recognition of the present Cuban Republic. Mr. Boutelle of Maine voted in favor of the Dingley motion, but withdrew his vote later, saying he was opposed to the entire Senate resolution.

The vote on Mr. Dingley's motion: Yeas, 179; nays, 156.

A motion to reconsider was offered and laid on the table.

The Republicans who voted with the Democrats to concur were:

Messrs. Bromwell of Ohio, Brown of Ohio, Colson of Kentucky, Cooper of Wisconsin, Dorr of West Virginia, Lorimer of Illinois, Loud of California, Mahany of New York, Mann of Illinois, Sulloway of New Hampshire, Johnson of Indiana, Johnson of North Dakota, Warner of New York, White of Illinois. The Democrats, Silver Republicans and Populists, with the exception of Howard of Alabama, all voted against the Dingley motion.

After the House had refused to accept the Senate joint resolution passed Saturday and had sent it back to the Senate with the recognition clause eliminated, the Senate immediately took the matter up.

Mr. Davis made a strong appeal to the Senate to concur in the amendments made by the House. His object in this, he stated, was to expedite matters in getting relief to the starving Cubans.

Mr. Stewart then began what promised to be a lengthy speech. He was privately interrupted by Mr. Teller and requested to yield for a vote. He did this and the Senate, by a vote of 32 to 46, disagreed with the House amendment and sent the resolution back to that body.

This motion was defeated by a vote of 172 to 148.

A motion was then made and carried unanimously that the Speaker

